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(54) Title: DESIGNING DRY AND POROUS ABSORBENT COMPOSITES CONTAINING SUPER-ABSORBENT POLYMERS

(57) Abstract:

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DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)


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Applicant DOW GLOBAL TECHNOLOGIES INC.		

This International Searching Authority hereby declares, according to Article 17(2)(a), that no international search report will be established on the international application for the reasons indicated below

1. ☐ The subject matter of the international application relates to:
 - a. ☐ scientific theories.
 - b. ☐ mathematical theories
 - c. ☐ plant varieties.
 - d. ☐ animal varieties.
 - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. ☐ schemes, rules or methods of doing business.
 - g. ☐ schemes, rules or methods of performing purely mental acts.
 - h. ☐ schemes, rules or methods of playing games.
 - i. ☐ methods for treatment of the human body by surgery or therapy.
 - j. ☐ methods for treatment of the animal body by surgery or therapy.
 - k. ☐ diagnostic methods practised on the human or animal body.
 - l. ☐ mere presentations of information.
 - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.
2. ☒ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

☒ the description
☒ the claims
☐ the drawings
3. ☐ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished or does not comply with the standard.
 ☐ the computer readable form has not been furnished or does not comply with the standard.
4. Further comments:

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Dominique Hundt
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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

A meaningful search is not possible on the basis of claim 1 because claim 1 is directed to - Mathematical method - Rule 39.1(i) PCT.

The subject-matter of independent claims 2,4,5,10 and 11 is so unclear that a lack of clarity and conciseness within the meaning of Article 6 PCT arises to such an extent as to render a meaningful search of the claims impossible. Consequently, no search report can be established for the present application.

Independent claims 2,4 and 5 are directed to "a method of making an absorbent medium": it is not clear, however, how the absorbent medium is to be made. The only process step mentioned in claim 2 is "intermixing permeable substruction stranding and a mass of super-absorbent polymer particles into a meshwork": no process parameter, e.g. temperature, etc., which would enable the person skilled in the art to carry out the invention, is described either in the claims or in the description.

Furthermore, the following expressions are neither comprehensible from the claims nor from the description.

It is not clear what is the meaning of "substruction" and of "into a meshwork". Is with "intermixing permeable substruction stranding and mass of super-absorbent particles into a meshwork" meant that the permeable substruction stranding is mixed together with the super-absorbent particles to form a meshwork or is it meant that the permeable substruction stranding, the super-absorbent particles and the meshwork together form the absorbent medium? On p.4, l. 9-11 a "substruction" is disclosed as being "fabricated from the polymer and the meshwork". Does the step of intermixing mean that a "substruction" fabricated from the polymer and the meshwork is mixed with super-absorbent polymer particles and the meshwork? In this case, how can a "substruction" which is already a meshwork be brought into a further meshwork?

It is further not clear what is meant with "a predefined mass of liquid": no weight unit of the liquid has been specified.

In addition it is not clear how "a predefined dryness quality" is determined, because no method or test procedure for measuring the "dryness quality" is given neither in the claims nor in the description. It follows that "a maximal dryness quality" or "a minimal dryness quality" can also not be determined.

Furthermore, it is unclear in which unit the parameters "affiliated centrifuge retention capacity value" of the super-absorbent polymer or "affiliated absorption capacity value" of the stranding are calculated. On p. 9-12 of the description suitable super-absorbent polymers and strandings are given: it appears, thus, that any stranding or super-absorbent polymer have such capacities. Therefore, every super-absorbent polymer or stranding will show the claimed capacities, since not even an upper or a lower limit is defined. Thus, the skilled person in the art will be unable to carry out the invention, because he would not know how to chose from a wide variety of possibilities (Article 5 PCT).

In addition the steps of "defining a value", "determining a value", "measuring a quantity" or "deriving a value" do not include any technical character. The person skilled in the art has no hint as how to select these values, because these steps are neither explained in the claims nor in the description.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

Independent claims 10 and 11 are directed to a product ("super-absorbent polymer cumulation" or "an absorbent medium"). Claims 10 and 11 are constructed as a desideratum. The person skilled in the art has no hint how to come to the product claimed, because these claims contain no technical features (such as the material, quantity of super-absorbent polymer, etc.) of the product itself. The wordings "a sufficiently minimal amount of super-absorbent polymer" for "effectively minimizing free aqueous liquid" as well as "targeted weight of aqueous liquid" are vague and imprecise and mere results-to be achieved.

Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible.

Consequently, no search has been carried out.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.